

REMARKS

This application contained claims 3-27. Claims 4, 6, 13, 15, 26, and 27 were withdrawn from consideration as directed to a non-elected invention. Claims 3, 5 and 7-12 have been allowed. Claims 14 and 16-25 have been rejected.

This submission amends claims 3 and 4. A comma is added at the end of line 11 of claim 3 to improve clarity. In claim 4, the phrase "in said passage" has been moved from the last line of the claim to line 6 to improve clarity. Additionally, a typographic error has been corrected on line 4 of claim 4 to change "gases" to gas which is consistent with the claim preamble.

Claims 4, 6, 13, 15, 26 and 27 have been canceled as directed to a non-elected invention where the restriction requirement is final.


Claim 21 has been canceled. The claim originally depended from claim 14, but the subject matter of claim 21 does not find proper antecedent basis in claim 14. Claim 21 would need to be written in independent form to correct this error. However, the subject matter of claim 12 as properly rewritten is believed not to read upon the elected species of Group I and as such would be withdrawn from consideration as directed to a non-elected invention. Claim 21 has thus been canceled as directed to a non-elected invention.

Claims 14-25 (sic, 14, 16-25, because claim 15 has been withdrawn) have been rejected under the judicially created doctrine of obviousness-type double patenting over certain claims of U.S. patent 6,458,741. This patent is commonly owned with the present application as indicated by an assignment recorded at reel/frame: 012612/0825. Submitted herewith is a terminal disclaimer in compliance with 37 C.F.R. 1. 321(c) with required fee.

It is believed that the terminal disclaimer submitted obviates the rejection of claims 14 and 16-25.

In view of the foregoing all of the claims remaining in this case are believed to be in condition for allowance and passage to issuance is respectfully requested. No fees for excess claims are due. A check in the amount of \$55.00 which is the fee for submission of a terminal disclaimer, is submitted herewith. If the fee submitted is incorrect, please deduct any additional fees due or credit any excess fees paid to deposit account 07/1969.

Respectfully submitted,



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